#### UNITED STATES COURT OF FEDERAL CLAIMS

|                          | )                              |
|--------------------------|--------------------------------|
| Isa Brittain, et al.,    | )                              |
|                          | )                              |
| Plaintiffs,              | )                              |
|                          | )                              |
| v.                       | ) No. 18-342 L                 |
| UNITED STATES OF AMERICA | ) Honorable Lydia Kay Griggsby |
| Defendant.               | )                              |
|                          | )                              |

(Electronically filed January 29, 2019)

# **JOINT STATUS REPORT**

Pursuant to the Court's Order dated January 17, 2019 (ECF No. 22), the parties file this Joint Status Report informing the Court of the restoration of Federal appropriations and stating their views on the schedule for further proceedings in this matter.

The parties report that further investigation of the claims remains necessary before the parties can agree on any stipulations in the case. The parties respectfully request the Court issue an order that the parties file another Joint Status Report on or before February 28, 2019, regarding any stipulations and stating their views on further proceedings, including a proposed schedule for the briefing of cross-motions for summary judgment on liability, if warranted.

The foregoing Joint Status Report has been jointly prepared by the parties and filed by the United States at the request of Plaintiffs.

Respectfully submitted this 29<sup>th</sup> day of January, 2019.

# STEWART WALD & MCCULLEY, L.L.C

# By <u>s/Steven M. Wald(by EM w/permission of SMW)</u>

Steven M. Wald Michael J. Smith 12747 Olive Boulevard, Suite 280 St. Louis, MO 63141 (314) 720-0220 (314) 899-2925 (facsimile) wald@swm.legal smith@swm.legal

#### ATTORNEYS FOR PLAINTIFFS

## JEAN E. WILLIAMS

Deputy Assistant Attorney General United States Department of Justice Environment & Natural Resources Division

### s/ Elizabeth McGurk

Elizabeth McGurk
United States Department of Justice
Environment and Natural Resources Division
P.O. Box 7611
Washington, DC 20044
Tel. 202-305-0247
Fax. 202-305-0506
elizabeth.mcgurk@usdoj.gov

## ATTORNEY FOR THE UNITED STATES